

# **Exhibit 16**

**Generated on:** This page was generated by TSDR on 2022-09-01 10:17:44 EDT

**Mark:** BIRKIN

# BIRKIN

**US Serial Number:** 97566629

**Application Filing Date:** Aug. 26, 2022

**Register:** Principal

**Mark Type:** Trademark, Service Mark

**TM5 Common Status Descriptor:**



LIVE/APPLICATION/Awaiting Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and has not yet been assigned to an examiner.

**Status:** New application will be assigned to an examining attorney approximately 6 months after filing date.

**Status Date:** Aug. 30, 2022

## Mark Information

**Mark Literal Elements:** BIRKIN

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

## Related Properties Information

**Claimed Ownership of US Registrations:** 2991927

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Downloadable mobile applications for providing access to virtual, augmented, or mixed reality environments; downloadable mobile applications for creating, collecting, trading, exchanging, purchasing, renting, sharing, viewing, displaying, operating, using, storing, interacting with and/or managing virtual goods, namely, creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases, clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets for use online and for use in online virtual worlds; downloadable mobile applications for creating, collecting, trading, exchanging, purchasing, renting, sharing, viewing, displaying, operating, using, storing, interacting with, and/or managing digital animated and non-animated designs and characters, avatars, digital overlays and skins for access and use in online environments, virtual online environments, and extended reality virtual environments; downloadable multimedia file containing artwork relating to creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases, clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets, authenticated by non-fungible tokens (NFTs) or other digital tokens based on blockchain technology; Downloadable virtual goods, namely, creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases, clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets for use online and for use in online virtual worlds; downloadable software for creating, purchasing, and interacting with interactive characters, avatars and skins for use online and for use in online virtual worlds; downloadable software for managing hardware wallets of virtual goods, places or characters, digital collectibles and non-fungible tokens (NFTs); virtual, augmented or mixed reality headsets; wearable computer hardware, namely, wearable computer peripherals; peripherals adapted for use with computers regarding virtual reality; wearable digital electronic devices, namely, near-eye display devices in the nature of virtual reality glasses; wearable digital electronic devices consisting of software and display screens, namely, wearable computers; peripherals adapted for use with computers regarding virtual reality; wearable digital electronic devices, namely, near-eye display devices in the nature of virtual reality glasses;

smart glasses, namely, virtual augmented reality glasses and virtual reality glasses; three dimensional (3D) glasses, namely, virtual augmented reality headsets and virtual reality headsets; oculars; hologram apparatus; holograms; security tokens (encryption devices); shirts fitted with sensors for use with computers regarding virtual reality; gloves fitted with sensors for use with computers regarding virtual reality; virtual reality gloves; downloadable computer files for accessing, creating, collecting, trading, exchanging, purchasing, renting, sharing, viewing, displaying, operating, using, storing, interacting with and/or managing virtual goods, places or characters, digital collectibles and non-fungible tokens (NFTs); downloadable virtual goods, namely, computer programs featuring digital collectibles and non-fungible tokens (NFTs) for use online and in virtual environments; downloadable augmented reality game software; downloadable virtual reality game software; downloadable electronic game software; downloadable computer software for managing transactions using blockchain technology; downloadable computer software for trading, viewing, storing and/or managing virtual goods, digital collectibles, cryptocurrencies and non-fungible tokens (NFTs); downloadable computer game software featuring virtual goods, namely, digital collectibles and non-fungible token for use in online virtual worlds

**International Class(es):** 009 - Primary Class

**U.S Class(es):** 021, 023, 026, 036, 038

**Class Status:** ACTIVE

**Basis:** 1(b)

**For:** Retail store services featuring virtual goods, namely, creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases, clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets for use online and for us in online virtual worlds; Online retail store services featuring virtual goods, namely, creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases, clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets for use online and for us in online virtual worlds; provision of an interactive website for online games services; organizing and conducting trade shows, fashion shows and exhibitions in online virtual, augmented or mixed reality environments for commercial and/or advertising purposes; providing an online marketplace for buyers and sellers of virtual goods, namely, digital collectibles and non-fungible tokens (NFTs); promoting and advertising of virtual goods of others, namely, digital collectibles and non-fungible tokens (NFTs); online auctioneering services via the internet relating to virtual goods, namely, digital collectibles and non-fungible tokens (NFTs); arranging and conducting special events for commercial, promotional or advertising purposes related to virtual goods, namely, digital collectibles and non-fungible tokens (NFTs)

**International Class(es):** 035 - Primary Class

**U.S Class(es):** 100, 101, 102

**Class Status:** ACTIVE

**Basis:** 1(b)

**For:** Entertainment services, namely, providing online, non-downloadable virtual creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases, clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets for use in virtual environments created for entertainment purposes, including in online games; entertainment services, namely, providing non-downloadable electronic game software; organization, preparation, production and hosting of social entertainment events, symposiums, conferences, congresses, in online or offline environments of virtual, augmented or mixed reality; entertainment services, namely, organization, realization and production of shows and fashion shows in online or offline environments of virtual, augmented or mixed reality environments; organization of fairs and exhibitions in online or offline environments of virtual, augmented or mixed reality environments for cultural or educational purposes; providing and conducting guided tours in online or offline environments of virtual, augmented or mixed reality for cultural or educational purposes; providing non-downloadable software for games in virtual, augmented or mixed reality

**International Class(es):** 041 - Primary Class

**U.S Class(es):** 100, 101, 107

**Class Status:** ACTIVE

**Basis:** 1(b)

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** No

**Filed ITU:** Yes

**Currently ITU:** Yes

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** Hermès International

**Owner Address:** 24, rue du Faubourg Saint-Honoré  
Paris FRANCE 75008

**Legal Entity Type:** société en commandite par actions (sca)

**State or Country** FRANCE  
**Where Organized:**

## Attorney/Correspondence Information

**Attorney of Record**

**Attorney Name:** Robert S. Weisbein **Docket Number:** 093010-  
**Attorney Primary** [IPDocketing@foley.com](mailto:IPDocketing@foley.com) **Attorney Email** Yes  
**Email Address:** **Authorized:**

**Correspondent**

**Correspondent** ROBERT S. WEISBEIN  
**Name/Address:** FOLEY & LARDNER LLP  
90 PARK AVENUE  
NEW YORK, NEW YORK UNITED STATES 10016  
**Phone:** 212-682-7474 **Fax:** 212-687-2329  
**Correspondent e-mail:** [IPDocketing@foley.com](mailto:IPDocketing@foley.com) **Correspondent e-mail Authorized:** Yes

**Domestic Representative**

**Domestic Representative Name:** Robert S. Weisbein **Phone:** 212-682-7474  
**Fax:** 212-687-2329  
**Domestic Representative e-mail:** [IPDocketing@foley.com](mailto:IPDocketing@foley.com) **Domestic Representative e-mail Authorized:** Yes

**Prosecution History**

Date	Description	Proceeding Number
Aug. 30, 2022	NEW APPLICATION ENTERED IN TRAM	

**TM Staff and Location Information****TM Staff Information - None****File Location**

**Current Location:** NEW APPLICATION PROCESSING **Date in Location:** Aug. 30, 2022

PTO- 1478

Approved for use through 10/31/2024. OMB 0651-0009

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

**Trademark/Service Mark Application, Principal Register****Serial Number: 97566629****Filing Date: 08/26/2022****The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	97566629
<b>MARK INFORMATION</b>	
<b>*MARK</b>	<a href="#">BIRKIN</a>
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	BIRKIN
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size, or color.
<b>REGISTER</b>	Principal
<b>APPLICANT INFORMATION</b>	
<b>*OWNER OF MARK</b>	Hermès International
<b>*MAILING ADDRESS</b>	24, rue du Faubourg Saint-Honoré
<b>*CITY</b>	Paris
<b>*COUNTRY/REGION/JURISDICTION/U.S. TERRITORY</b>	France
<b>*ZIP/POSTAL CODE</b> (Required for U.S. and certain international addresses)	75008
<b>*EMAIL ADDRESS</b>	XXXX
<b>LEGAL ENTITY INFORMATION</b>	
<b>TYPE</b>	société en commandite par actions (sca)
<b>STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY WHERE LEGALLY ORGANIZED</b>	France
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
<b>INTERNATIONAL CLASS</b>	009
	Downloadable mobile applications for providing access to virtual, augmented, or mixed reality environments; downloadable mobile applications for creating, collecting, trading, exchanging, purchasing, renting, sharing, viewing, displaying, operating, using, storing, interacting with and/or managing virtual goods, namely, creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases, clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets for use online and for use in online virtual worlds; downloadable mobile applications for creating, collecting,

**\*IDENTIFICATION**

trading, exchanging, purchasing, renting, sharing, viewing, displaying, operating, using, storing, interacting with, and/or managing digital animated and non-animated designs and characters, avatars, digital overlays and skins for access and use in online environments, virtual online environments, and extended reality virtual environments; downloadable multimedia file containing artwork relating to creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases, clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets, authenticated by non-fungible tokens (NFTs) or other digital tokens based on blockchain technology; Downloadable virtual goods, namely, creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases, clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets for use online and for use in online virtual worlds; downloadable software for creating, purchasing, and interacting with interactive characters, avatars and skins for use online and for use in online virtual worlds; downloadable software for managing hardware wallets of virtual goods, places or characters, digital collectibles and non-fungible tokens (NFTs); virtual, augmented or mixed reality headsets; wearable computer hardware, namely, wearable computer peripherals; peripherals adapted for use with computers regarding virtual reality; wearable digital electronic devices, namely, near-eye display devices in the nature of virtual reality glasses; wearable digital electronic devices consisting of software and display screens, namely, wearable computers; peripherals adapted for use with computers regarding virtual reality; wearable digital electronic devices, namely, near-eye display devices in the nature of virtual reality glasses; smart glasses, namely, virtual augmented reality glasses and virtual reality glasses; three dimensional (3D) glasses, namely, virtual augmented reality headsets and virtual reality headsets; oculars; hologram apparatus; holograms; security tokens (encryption devices); shirts fitted with sensors for use with computers regarding virtual reality; gloves fitted with sensors for use with computers regarding virtual reality; virtual reality gloves; downloadable computer files for accessing, creating, collecting, trading, exchanging, purchasing, renting, sharing, viewing, displaying, operating, using, storing, interacting with and/or managing virtual goods, places or characters, digital collectibles and non-fungible tokens (NFTs); downloadable virtual goods, namely, computer programs featuring digital collectibles and non-fungible tokens (NFTs) for use online and in virtual environments; downloadable augmented reality game software; downloadable virtual reality game software; downloadable electronic game software; downloadable computer software for managing transactions using blockchain technology; downloadable computer software for trading, viewing, storing and/or managing virtual goods, digital collectibles, cryptocurrencies and non-fungible tokens (NFTs); downloadable computer game software featuring virtual goods, namely, digital collectibles and non-fungible token for use in online virtual worlds

**FILING BASIS**

SECTION 1(b)

INTERNATIONAL CLASS	035
*IDENTIFICATION	Retail store services featuring virtual goods, namely, creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases, clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets for use online and for us in online virtual worlds; Online retail store services featuring virtual goods, namely, creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases, clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets for use online and for us in online virtual worlds; provision of an interactive website for online games services; organizing and conducting trade shows, fashion shows and exhibitions in online virtual, augmented or mixed reality environments for commercial and/or advertising purposes; providing an online marketplace for buyers and sellers of virtual goods, namely, digital collectibles and non-fungible tokens (NFTs); promoting and advertising of virtual goods of others, namely, digital collectibles and non-fungible tokens (NFTs); online auctioneering services via the internet relating to virtual goods, namely, digital collectibles and non-fungible tokens (NFTs); arranging and conducting special events for commercial, promotional or advertising purposes related to virtual goods, namely, digital collectibles and non-fungible tokens (NFTs)
FILING BASIS	SECTION 1(b)
INTERNATIONAL CLASS	041
*IDENTIFICATION	Entertainment services, namely, providing online, non-downloadable virtual creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases, clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets for use in virtual environments created for entertainment purposes, including in online games; entertainment services, namely, providing non-downloadable electronic game software; organization, preparation, production and hosting of social entertainment events, symposiums, conferences, congresses, in online or offline environments of virtual, augmented or mixed reality; entertainment services, namely, organization, realization and production of shows and fashion shows in online or offline environments of virtual, augmented or mixed reality environments; organization of fairs and exhibitions in online or offline environments of virtual, augmented or mixed reality environments for cultural or educational purposes; providing and conducting guided tours in online or offline environments of virtual, augmented or mixed reality for cultural or educational purposes; providing non-downloadable software for games in virtual, augmented or mixed reality
FILING BASIS	SECTION 1(b)
ADDITIONAL STATEMENTS SECTION	
ACTIVE PRIOR REGISTRATION(S)	The applicant claims ownership of active prior U.S. Registration Number(s) 2991927.

<b>ATTORNEY INFORMATION</b>	
NAME	Robert S. Weisbein
ATTORNEY DOCKET NUMBER	093010-
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	Foley & Lardner LLP
STREET	90 Park Avenue
CITY	New York
STATE	New York
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
ZIP/POSTAL CODE	10016
PHONE	212-682-7474
FAX	212-687-2329
EMAIL ADDRESS	IPDocketing@foley.com
OTHER APPOINTED ATTORNEY	all other attorneys of Foley & Lardner LLP
<b>DOMESTIC REPRESENTATIVE INFORMATION</b>	
NAME	Robert S. Weisbein
FIRM NAME	Foley & Lardner LLP
STREET	90 Park Avenue
CITY	New York
STATE	New York
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
ZIP CODE	10016
PHONE	212-682-7474
FAX	212-687-2329
EMAIL ADDRESS	IPDocketing@foley.com
<b>CORRESPONDENCE INFORMATION</b>	
NAME	Robert S. Weisbein
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	IPDocketing@foley.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	NOT PROVIDED
<b>FEE INFORMATION</b>	
APPLICATION FILING OPTION	TEAS Standard
NUMBER OF CLASSES	3
APPLICATION FOR REGISTRATION PER CLASS	350
*TOTAL FEES DUE	1050
*TOTAL FEES PAID	1050
<b>SIGNATURE INFORMATION</b>	



<b>SIGNATURE</b>	/Nicolas Martin/
<b>SIGNATORY'S NAME</b>	Nicolas Martin
<b>SIGNATORY'S POSITION</b>	Group General Counsel
<b>SIGNATORY'S PHONE NUMBER</b>	0033140174951
<b>DATE SIGNED</b>	08/26/2022
<b>SIGNATURE METHOD</b>	Sent to third party for signature

---

PTO- 1478

Approved for use through 10/31/2024. OMB 0651-0009

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

**Trademark/Service Mark Application, Principal Register****Serial Number: 97566629****Filing Date: 08/26/2022****To the Commissioner for Trademarks:****MARK:** BIRKIN (Standard Characters, see [mark](#))

The literal element of the mark consists of BIRKIN. The mark consists of standard characters, without claim to any particular font style, size, or color.

The applicant, Hermès International, a société en commandite par actions (sca) legally organized under the laws of France, having an address of  
 24, rue du Faubourg Saint-Honoré  
 Paris 75008  
 France  
 XXXX

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 009: Downloadable mobile applications for providing access to virtual, augmented, or mixed reality environments; downloadable mobile applications for creating, collecting, trading, exchanging, purchasing, renting, sharing, viewing, displaying, operating, using, storing, interacting with and/or managing virtual goods, namely, creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases, clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets for use online and for use in online virtual worlds; downloadable mobile applications for creating, collecting, trading, exchanging, purchasing, renting, sharing, viewing, displaying, operating, using, storing, interacting with, and/or managing digital animated and non-animated designs and characters, avatars, digital overlays and skins for access and use in online environments, virtual online environments, and extended reality virtual environments; downloadable multimedia file containing artwork relating to creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases, clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets, authenticated by non-fungible tokens (NFTs) or other digital tokens based on blockchain technology; Downloadable virtual goods, namely, creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases, clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets for use online and for use in online virtual worlds; downloadable software for creating, purchasing, and interacting with interactive characters, avatars and skins for use online and for use in online virtual worlds; downloadable software for managing hardware wallets of virtual goods, places or characters, digital collectibles and non-fungible tokens (NFTs); virtual, augmented or mixed reality headsets; wearable computer hardware, namely, wearable computer peripherals; peripherals adapted for use with computers regarding virtual reality; wearable digital electronic devices, namely, near-eye display devices in the nature of virtual reality glasses; wearable digital electronic devices consisting of software and display screens, namely, wearable computers; peripherals adapted for use with computers regarding virtual reality; wearable digital electronic devices, namely, near-eye display devices in the nature of virtual reality glasses; smart glasses, namely, virtual augmented reality glasses and virtual reality glasses; three dimensional (3D) glasses, namely, virtual augmented reality headsets and virtual reality headsets; oculars; hologram apparatus; holograms; security tokens (encryption devices); shirts fitted with sensors for use with computers regarding virtual reality; gloves fitted with sensors for use with computers regarding virtual reality; virtual reality gloves; downloadable computer files for accessing, creating, collecting, trading, exchanging, purchasing, renting, sharing, viewing, displaying, operating, using, storing, interacting with and/or managing virtual goods, places or characters, digital collectibles and non-fungible tokens (NFTs); downloadable virtual goods, namely, computer programs featuring digital collectibles and non-fungible tokens (NFTs) for use online and in virtual environments; downloadable augmented reality game software; downloadable virtual reality game software; downloadable electronic game software; downloadable computer software for managing transactions using blockchain technology; downloadable computer software for trading, viewing, storing and/or managing virtual goods, digital collectibles, cryptocurrencies and non-fungible tokens (NFTs); downloadable computer game software featuring virtual goods, namely, digital collectibles and non-fungible token for use in online virtual worlds

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

International Class 035: Retail store services featuring virtual goods, namely, creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases, clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets for use online and for us in online virtual worlds; Online retail store services featuring virtual goods, namely, creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases,

clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets for use online and for us in online virtual worlds; provision of an interactive website for online games services; organizing and conducting trade shows, fashion shows and exhibitions in online virtual, augmented or mixed reality environments for commercial and/or advertising purposes; providing an online marketplace for buyers and sellers of virtual goods, namely, digital collectibles and non-fungible tokens (NFTs); promoting and advertising of virtual goods of others, namely, digital collectibles and non-fungible tokens (NFTs); online auctioneering services via the internet relating to virtual goods, namely, digital collectibles and non-fungible tokens (NFTs); arranging and conducting special events for commercial, promotional or advertising purposes related to virtual goods, namely, digital collectibles and non-fungible tokens (NFTs)

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

International Class 041: Entertainment services, namely, providing online, non-downloadable virtual creams for leather, eyewear, jewelry, medals, pendants, precious metals, precious stones, jewelry cases, clocks, watches, watch straps, watch cases, carry-all bags, suitcases, briefcases, purses, purse charms, charms for shoes, business card cases, key rings, umbrellas, and wallets for use in virtual environments created for entertainment purposes, including in online games; entertainment services, namely, providing non-downloadable electronic game software; organization, preparation, production and hosting of social entertainment events, symposiums, conferences, congresses, in online or offline environments of virtual, augmented or mixed reality; entertainment services, namely, organization, realization and production of shows and fashion shows in online or offline environments of virtual, augmented or mixed reality environments; organization of fairs and exhibitions in online or offline environments of virtual, augmented or mixed reality environments for cultural or educational purposes; providing and conducting guided tours in online or offline environments of virtual, augmented or mixed reality for cultural or educational purposes; providing non-downloadable software for games in virtual, augmented or mixed reality

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

#### **Claim of Active Prior Registration(s)**

The applicant claims ownership of active prior U.S. Registration Number(s) 2991927.

The owner's/holder's proposed attorney information: Robert S. Weisbein. Other appointed attorneys are all other attorneys of Foley & Lardner LLP. Robert S. Weisbein of Foley & Lardner LLP, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, and the attorney(s) is located at

90 Park Avenue  
New York, New York 10016  
United States  
212-682-7474(phone)  
212-687-2329(fax)  
IPDocketing@foley.com

The docket/reference number is 093010-.

Robert S. Weisbein submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

The applicant hereby appoints Robert S. Weisbein of Foley & Lardner LLP

90 Park Avenue  
New York New York 10016  
United States  
212-682-7474(phone)  
212-687-2329(fax)  
IPDocketing@foley.com

as applicant's representative upon whom notice or process in the proceedings affecting the mark may be served.

The applicant's current Correspondence Information:

Robert S. Weisbein

PRIMARY EMAIL FOR CORRESPONDENCE: IPDocketing@foley.com      SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): NOT PROVIDED

**Requirement for Email and Electronic Filing:** I understand that a valid email address must be maintained by the applicant owner/holder and the applicant owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

A fee payment in the amount of \$1050 has been submitted with the application, representing payment for 3 class(es).

### Declaration

☒ **Basis:**

**If the applicant is filing the application based on use in commerce under 15 U.S.C. § 1051(a):**

- The signatory believes that the applicant is the owner of the trademark/service mark sought to be registered;
- The mark is in use in commerce and was in use in commerce as of the filing date of the application on or in connection with the goods/services in the application;
- The specimen(s) shows the mark as used on or in connection with the goods/services in the application and was used on or in connection with the goods/services in the application as of the application filing date; and
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

**And/Or**

**If the applicant is filing the application based on an intent to use the mark in commerce under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e):**

- The signatory believes that the applicant is entitled to use the mark in commerce;
  - The applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date on or in connection with the goods/services in the application; and
  - To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.
- ☒ To the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive.
- ☒ To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.
- ☒ The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

### Declaration Signature

Signature: /Nicolas Martin/ Date: 08/26/2022  
Signatory's Name: Nicolas Martin  
Signatory's Position: Group General Counsel  
Signatory's Phone Number: 0033140174951  
Signature method: Sent to third party for signature  
Payment Sale Number: 97566629  
Payment Accounting Date: 08/26/2022

Serial Number: 97566629  
Internet Transmission Date: Fri Aug 26 13:18:45 ET 2022  
TEAS Stamp: USPTO/BAS-XXX.XX.XX.X-202208261318468952  
61-97566629-8202b1319da1a2b80d224f1f08ac  
7da71662c3ed89ce8e42e622e8d4da12385befa-  
CC-18454161-20220826112521612807

BIRKIN

BIRKIN